



07-12-07 IFW

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	MITANI et al.	Examiner	BERTAGNA,
Serial No.:	10/532975	Group Art:	1635
Filed:	April 28, 2005	Docket:	20078.0005USWO
Title:	PROCESS FOR AMPLIFYING NUCLEIC ACIDS		

CERTIFICATE UNDER 37 CFR 1.10

Express Mail mailing label number: EM 088201407

Date of Deposit: July 11, 2007

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By: 

Name: Shanna Crafton

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
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52835

PATENT TRADEMARK OFFICE

Sir:

The following papers are transmitted herewith:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form PTO/SB/08, 5 references, copy of Supplemental European Search Report
- ☒ Return Postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. A duplicate of this sheet is enclosed.

Hamre, Schumann, Mueller & Larson, P.C.
P.O. Box 2902 Minneapolis, MN 55402-0902
612.455-3800

By: 

Name: Douglas P. Mueller
Reg. No.: 30,300
Initials: DPM/lis



S/N 10/532975

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	MITANI et al.	Examiner:	BERTAGNA, Angela Marie
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By:

Name: Shanna Gratton

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form PTO/SB/08 are brought to the attention of the Examiner. Please note that the references listed on Form PTO/SB/08 were cited in the Supplemental European Search Report issued by the European Patent Office May 30, 2007. Copies of any foreign patent or non-patent literature documents are enclosed.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

Reference WO 02/24902 corresponds to US Publication 2004/0038253.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and

- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND the requisite Statement is below AND the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

Applicants hereby state that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application or by the USPTO in a related application not more than three months prior to the filing date of the Information Disclosure Statement
- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form PTO/SB/08 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.

Filing Date

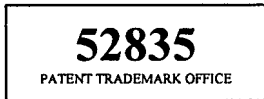
Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

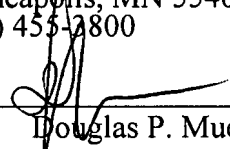


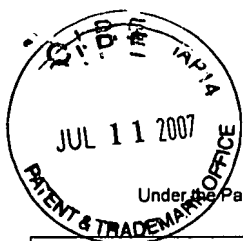
Dated: July 11, 2007

Respectfully submitted,

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By: _____


Douglas P. Mueller
Reg. No. 30,300
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10532975
Filing Date	2005-04-28
First Named Inventor	Yasumasa MITANI
Art Unit	1635
Examiner Name	BERTAGNA, Anglea Marie
Attorney Docket Number	20087.0005USWO

U.S. PATENTS

Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1					

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U.S. PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20040038253	A1	2004-02-26	NAGAMINE	

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

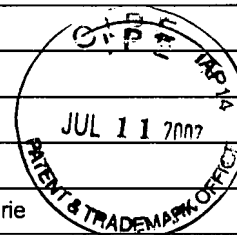
Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	0 971 039	EP	A2	2000-12-01	ENZO DIAGNOSTICS, INC.		<input type="checkbox"/>
	2	02/24902	WO	A1	2002-03-28	EIKEN CHAMICAL, Kentaro NAGAMINE		<input type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10532975
Filing Date	2005-04-28
First Named Inventor	Yasumasa MITANI
Art Unit	1635
Examiner Name	BERTAGNA, Anglea Marie
Attorney Docket Number	20087.0005USWO



Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	"Supplemental Partial European Search Report" European Patent Office. Dated May 30, 2007	<input type="checkbox"/>
	2	NAGAMINE, K. et al. "Accelerated Reaction by Loop Mediated Isothermal Amplification Using Loop Primers." Molecular and Cellular Probes, 16 (2002) 223-229.	<input type="checkbox"/>
	3	WALKER, G.T. et al. "Strand Displacement Amplification - an Isothermal, in vitro DNA Amplification Technique." Nucleic Acids Research 20:7 (1992) 1691-1696.	<input type="checkbox"/>
	4	NAGAMINE, Kentaro et al. "Loop-Mediated Isothermal Amplification Reaction Using a Nondenatured Template." Clinical Chemistry 47:9 (2001) 1742-1743.	<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.